The Current Topics club donated $1,000 to the K-9 program, (l. to r.) Virginia Allred, Corene Pease, Sheriff Rick Hawkins, Dode Rolfe, Isla King, Colleen Martin, Sandy Morrow, Sgt. Robert Roth, Nero, and Jan Campbell.

Mayor Bill Kremin and other officials cut the ribbon for a new Crown Home.

McDonalds joins in immunization program

Nearly one million American children under age 2 go unprotected against life-threatening, yet preventable, childhood diseases every year because they are not fully immunized, according to TriCounty Health Departmen t(TCHD) research.

To help improve immunization rates, TCHD is teaming up with McDonald's in Vernal and Roosevelt on "Immunize for Healthy Lives," an immunization education program. Until the end of August, participating McDonalds will distribute immunization education materials which feature the vaccination schedule recommended by the American Academy of Pediatrics.

August is the back-to-school vaccination time period when most parents take their school-aged children to get immunized before returning to the classroom. But many parents may not know that vaccinations need to begin at infancy and that a second MMR (measles, mumps and rubella) is required for all school-aged children.

"Before they're 2 years old, children need most of their immunizations — about 15 of them," said TCHD director Joseph Shaffer. "Parents also need to be aware that by the fall of 199, according to Utah State law, all school-aged children through grade 12 must have 2 does of MMR or they cannot attend school."

In addition to distribution immunization materials, McDonalds of Vernal and Roosevelt will donate coupons for free ice cream cones to all who receive immunizations at TCHD during the "Immunize for Healthy Lives" campaign.

"McDonald's has always been concerned with the well-being of children and families," said Roosevelt and Vernal McDonald's owner Jill Goodman. "By working with TCHD, we can encourage parents to get their children vaccinated on time to help them stay healthy."

The kids thought they would try out the pond at the new walking park.

Mixed bloods future hangs on legal loophole

A bid by Utah's "mixed-blood" Utes to share in the management of certain tribal assets could hinge on whether they sued the Ute Indian Tribe as a corporate or political entity.

A three-judge panel of the U.S. 10th Circuit Court of Appeals in Denver sent the question back to U.S. District Court in Salt Lake City last week after ruling that in one critical respect, the tribe is immune from suit.

The Ute Distribution Corp., which represents the tribal interests of the mixed blood Utes, filed a lawsuit in 1995 asserting a claim over the management of certain water rights.

At issue are the terms of the Ute Partition and Termination Act of 1954, which provided for the division and distribution of tribal lands and other assets on the Uintah and Ouray Reservation between full-blooded and mixed-blood Utes.

Indivisible assets — such as gas, oil and mineral rights — remained in trust for the benefit of both the full-blood and mixed-blood Utes under the joint management the Tribal Business Committee and the representative of the mixed bloods.

In its lawsuit, the Ute Distribution Corp. asked the federal courts to declare that certain water rights had not been partitioned, remained in trust for the benefit of both the full- and mixed-blood Utes and were subject to joint management. The tribe responded with a motion to dismiss, arguing that it was immune from suit, and that it had not waived that immunity. However, U.S. District Judge David Winder concluded that the Ute Partition and Termination Act had limited the tribe's immunity with respect to disputes over the joint management of indivisible assets.

According to Winder, allowing the tribe to assert immunity "would contradict the overriding national interest of ensuring that federal trust property is managed in an orderly manner according to the joint scheme set forth by Congress in the (1954 act)."

The tribe appealed, saying there is nothing in the act expressly authorizing a suit. The Ute Distribution Corp., countered with an alternative argument: a "sue and be sued" provision in the tribe's corporate charter constituted an express waiver of immunity.

Writing for the appeals court, Judge Michael Murphy agreed with the tribe that the act is devoid of any language clearly expressing an intent to subject the tribe to lawsuits over the joint management of indivisible assets. Therefore, the district court was wrong to conclude that the tribe's immunity was waived by the act.

However, the appeals judges directed the district court to consider the mixed-bloods' alternative argument relating to the tribal charter, which, among other things, asserts a power "to sue and be sued in courts of competent jurisdiction within the United States."

Murphy said courts have held that a "sue and be sued" clause may constitute a waiver of immunity, but this waiver is limited to actions involving the corporate activities of the tribe and doesn't extend to actions in its capacity as a political governing body.

The judges remanded the case to district court "to determine whether the tribal corporate entity is both a named and proper defendant in this case." The answer will determine whether the lawsuit can continue.

NATIONAL DRIVER APPRECIATION WEEK

Aug. 9 - Aug. 15

EOTT Energy Operating Limited Partnership is proud to recognize our Transport Drivers in the High Plains District in honor of National Driver Appreciation Week. Each year the trucking industry celebrates a week in August by recognizing the accomplishments of the professional driver. ***EOTT Energy*** would like to express our gratitude to all of our professional drivers for performing their daily functions in safe and efficient manner.

We would like to congratulate all of you for a job well done, and to encourage you to keep up the good work. A very special thank you from all of the employees of ***EOTT Energy***.

Douglas P. Huth
Vice President - Operations

David W. Holland
Director Fleet Operations

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Matching Loveseat $488

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